

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**IN RE: REALPAGE, INC., RENTAL  
SOFTWARE ANTITRUST LITIGATION  
(NO. II)**

**Case No. 3:23-MD-3071  
MDL No. 3071**

**This Document Relates to:  
ALL CASES**

**Chief Judge Waverly D. Crenshaw, Jr.**

**SECOND NOTICE PURSUANT TO PARAGRAPH 10 OF THE JUNE 1, 2023 ORDER  
CONCERNING DEFENDANTS PARTICIPATING IN EARLY MEDIATION**

Pursuant to Paragraph 10 of this Court’s Order (the “Order”), issued on June 1, 2023 [ECF 243], and the Court conference on July 31, 2023, the undersigned Defendants<sup>1</sup> propose Clay Cogman from Phillips ADR for the early mediation.<sup>2</sup> The undersigned Defendants have conferred with Plaintiffs and Plaintiffs consented to Mr. Cogman as the mediator.

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<sup>1</sup> Twenty-three Defendants signed this Notice: Allied Orion Group, LLC, Apartment Income REIT Corp., d/b/a AIR Communities, Brookfield Properties Multifamily LLC, CA Ventures, Campus Advantage, Inc., Cardinal Group Holdings LLC, ConAm Management Corp., Conti Capital, Crow Holdings LP and Trammell Crow Residential Company, Dayrise Residential, LLC, Essex Property Trust, Inc., Knightvest Residential, Kairoi Management LLC, Lantower Luxury Living LLC, Lyon Management Group, Inc., Prometheus Real Estate Group, The Related Companies, L.P and Related Management Company, L.P., Rose Associates Inc., Sherman Associates, Inc., Simpson Property Group, LLC (incorrectly named as Simpson Property Group, LLP), Timberline Real Estate Ventures LLC and Windsor Property Management Company, WinnCompanies LLC and WinnResidential Manager Corp.

<sup>2</sup> Defendants submit this notice subject to and without waiver of the arguments raised in Defendants’ pending motions to dismiss, including Defendants’ Motion to Dismiss Multifamily Plaintiffs’ First Amended Consolidated Class Action Complaint [ECF 340], LRO Defendants’ Rule 12(b)(6) Motion to Dismiss for Failure to State a Claim [ECF 323], Defendant CH Real Estate Services, LLC’s Motion to Dismiss for Lack of Personal Jurisdiction [ECF 327], and Defendant Rose Associate Inc.’s Motion to Dismiss for Lack of Jurisdiction and Improper Venue [ECF 343].

DATED: August 3, 2023

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that on August 3, 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record registered on the CM/ECF system.

DATED this 3rd day of August, 2023.

/s/ R. Dale Grimes

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